
IN THE SENATE OF THE UNITED STATES.

JANUARY 17, 1853.

Read twice, and referred to the Committee on the Judiciary.

JANUARY 21, 1853.

Reported with amendments, viz: Strike out the parts within [brackets,] and insert those printed in *italics*.

AN ACT

To prevent frauds upon the treasury of the United States.

1 *Be it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled, That*
3 all transfers and assignments hereafter made of any claim upon
4 the United States, or any part or share thereof, or interest
5 therein, whether absolute or conditional, and whatever may be
6 the consideration therefor; and all powers of attorney, orders,
7 or other authorities, for receiving payment of any such claim,
8 or any part or share thereof, shall be absolutely null and void,
9 unless the same shall be freely made and executed in the
10 presence of at least two attesting witnesses, after the allowance
11 of such claim, the ascertainment of the amount due, and the
12 issuing of a warrant for the payment thereof.

1 SEC. 2. *And be it further enacted, That* any officer of
2 the United States, or person holding any place of trust or profit,
3 or discharging any official function, under, or in connexion
4 with, any executive department of the government of the

5 United States, or under the Senate or House of Representa-
 6 tives of the United States, who, after the passage of this act,
 7 [shall receive any gratuity from any claimant against the United
 8 States, or agree to receive, or receive, except by inheritance,
 9 bequest, or marriage, any share or pecuniary interest in
 10 any claim against the United States, or] shall act as an agent or
 11 attorney for prosecuting any claim against the United States,
 12 or shall in any manner, or by any means otherwise than in the
 13 discharge of his proper official duties, aid or assist in the
 14 prosecution or support of any such claim or claims, shall be
 15 liable to indictment, as for a misdemeanor, in any court of the
 16 United States having jurisdiction [for the trial of crimes and
 17 misdemeanors] *thereof*; and, on conviction, shall pay a fine not
 18 exceeding [twice the amount of gratuity, fee, or compensation,
 19 received by the person so convicted] *five thousand dollars*, or
 20 suffer imprisonment in the penitentiary not exceeding one year,
 21 or both, as the court, in its discretion, shall adjudge.

1 SEC. 3. *And be it further enacted*, That any senator or
 2 representative in Congress who, after the passage of this act,
 3 [shall receive any gratuity from any claimant against the United
 4 States, or agree to receive, or receive, except by inheritance,
 5 bequest, or marriage, any share or pecuniary interest in any
 6 claim against the United States, or] shall, for compensation
 7 paid or to be paid, certain or contingent, act as agent or attor-
 8 ney for prosecuting any claim or claims against the United

9 States, or shall in any manner or by any means, for such com-
10 pensation, aid or assist in the prosecution or support of any
11 such claim or claims, shall be liable to indictment, as for a
12 misdemeanor, in any court of the United States having juris-
13 diction [for the trial of crimes and misdemeanors] *thereof*;
14 and, on conviction, shall pay a fine not exceeding [twice the
15 amount of the gratuity or compensation received by the per-
16 son convicted] *five thousand dollars*, or suffer imprisonment in
17 the penitentiary not exceeding one year, or both, as the court,
18 in its discretion, shall adjudge.

1 SEC. 4. *And be it further enacted*, That any person who
2 *shall wilfully and knowingly destroy, or attempt to destroy, or,*
3 *with intent to steal or destroy,* shall take and carry away any
4 record, paper, or proceeding of a court of justice, filed or de-
5 posited with any clerk or officer of such court, or any paper,
6 or document, or record, filed or deposited in any public office,
7 or with any judicial or public officer, shall, without reference
8 to the value of the paper, record, document, or proceeding so
9 taken, be [liable to indictment as for larceny] *deemed guilty*
10 *of felony ; and on conviction* in any court of the United States
11 having jurisdiction [for the trial of crimes and misdemeanors
12 against the United States] *thereof*, shall pay a fine not exceed-
13 ing two thousand dollars, or suffer imprisonment in a peniten-
14 tiary not exceeding three years, or both, as the court, in its
15 discretion, shall adjudge.

1 SEC. 5. *And be it further enacted*, That any officer hav-
2 ing the custody of any record, document, paper, or proceeding
3 specified in the last preceding section of this act, who shall
4 fraudulently take away, or withdraw, or destroy any such
5 record, document, paper, or proceeding filed in his office or
6 deposited with him, or in his custody, shall be [liable to in-
7 dictment as for a misdemeanor] *deemed guilty of felony; and*
8 *on conviction* in any court of the United States having juris-
9 diction [for the trial of crimes and misdemeanors against the
10 United States] *thereof*, shall pay a fine not exceeding two
11 thousand dollars, or suffer imprisonment in a penitentiary not
12 exceeding three years, or both, as the court, in its discretion,
13 shall adjudge, and shall forfeit his office, and be forever after-
14 wards disqualified from holding any office under the govern-
15 ment of the United States.

1 SEC. 6. *And be it further enacted*, That if any person
2 or persons shall, directly or indirectly, promise, offer, or give,
3 or cause or procure to be promised, offered, or given, any
4 money, goods, right in action, bribe, present, or reward, or
5 any promise, contract, undertaking, obligation, or security for
6 the payment or delivery of any money, goods, right in action,
7 bribe, present, or reward, or any other valuable thing what-
8 ever, to any member of the Senate or House of Representa-
9 tives of the United States, after his election as such member,
10 and either before or after he shall have qualified and taken his

11 seat, or to any officer of the United States, or person holding
12 any place of trust or profit, or discharging any official function
13 under, or in connexion with, any department of the govern-
14 ment of the United States, or under the Senate or House of
15 Representatives of the United States, after the passage of this
16 act, with intent to influence his vote [opinion,] *or* decision [or
17 judgment, or with intent to bias his mind] on any question,
18 matter, cause, or proceeding, which may then be pending, or
19 may by law, or under the constitution of the United States,
20 be brought before him in his official capacity, or in his place
21 of trust or profit, and shall be thereof convicted, such person
22 or persons so offering, promising, or giving, or causing or
23 procuring to be promised, offered, or given, any such money,
24 goods, right in action, bribe, present, or reward, or any
25 promise, contract, undertaking, obligation, or security for the
26 payment or delivery of any money, goods, right in action,
27 bribe, present, or reward, or other valuable thing whatever,
28 and the member, officer, or person who shall in anywise accept
29 or receive the same, or any part thereof, shall be liable to in-
30 dictment, as for a high crime and misdemeanor, in any court
31 of the United States having jurisdiction for the trial of crimes
32 and misdemeanors, and shall, upon conviction thereof, be fined
33 not exceeding three times the amount so offered, promised, or
34 given, and imprisoned in a penitentiary not exceeding three
35 years; and the [member, officer, or] person convicted of so

36 accepting or receiving the same, or any part thereof, *if an*
37 *officer or person holding any such place of trust or profit as*
38 *aforesaid*, shall forfeit his office [and] or place; and any per-
39 son so convicted under this section shall forever be disqualified
40 to hold any office of honor, trust, or profit under the United
41 States.

1 SEC. 7. *And be it further enacted*, That the provisions
2 of this act, and of the act of July twenty-ninth, eighteen hun-
3 dred and forty-six, entitled "An act in relation to the pay-
4 ment of claims," shall apply and extend to all claims against
5 the United States, whether allowed by special acts of Con-
6 gress or arising under general laws or treaties, or in any other
7 manner whatever; and every offence against the provisions of
8 this act shall be a misdemeanor.

1 SEC. 8. *And be it further enacted*, That nothing here-
2 *inbefore contained shall be construed to apply to the prosecu-*
3 *tion or defence of any action or suit in any judicial court of*
4 *the United States*